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Consumer Protection Programs

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UNITED STATES DEPARTMENT OF AGRICULTURE

Darrow DU 8-3285

McDavid DU 8-4026

Washington, Dec. 11, 1970

USDA Certifies Alaska's Meat Inspection Equal to Federal:

The U.S. Department of Agriculture today certified the Alaska meat inspection program equal to the Federal one, under provisions of the Wholesome Meat Act.

As a result, Alaska now has full responsibility for inspection of meat slaughter and processing plants doing business wholly within the State. The certification will affect 7 intrastate plants and some seasonal plants now operating there.

To earn "at least equal to" status, Alaska had to develop a law and regulations, financing and staffing, as well as actual inspection, matching the Federal program conducted by USDA's Consumer and Marketing Service.

Half of Alaska's budget for meat inspection comes from Federal matching funds supplied by C&MS.

Alaska joins 12 other States in achieving "equal to" meat inspection status: Arkansas, California, Florida, Idaho, Kansas, Maryland, New Mexico, Oklahoma, South Carolina, Tennessee, Washington, and Wyoming.

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STANDARDIZATION OF THE REPORT

Washington, D.C. 20540

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UNITED STATES DEPARTMENT OF AGRICULTURE

Martel DU 8-3285

McDavid DU 8-4026

Washington, Dec. 17, 1970

USDA Proposes New Label Approval Procedure:

The U. S. Department of Agriculture today proposed a new set of regulations giving details of the step-by-step procedure for granting approval to manufacturers for labels, containers, formulas, and methods of preparation of meat products.

The Federal meat inspection program requires manufacturers of meat products to submit for approval the labels, formulas, methods of preparation, and containers for these products. The manufacturer may proceed with production only after these items have been approved by specialists in USDA's Consumer and Marketing Service. C&MS determines, for example, whether the label is accurate and complete.

Basically, the proposed regulations would simplify the procedure for manufacturers seeking approvals from C&MS and would improve the operational efficiency of the C&MS program.

C&MS said the proposal was actually a revised version of regulations proposed in August 1969. The labeling proposal was then part of a complete package of proposed regulations covering the Federal meat inspection program.

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Written comments from the public on the labeling proposal provided much information that was not previously available to meat inspection officials, C&MS said. Because of the need to weigh this new data, C&MS did not include this labeling section in the final version of the meat inspection regulations issued in October.

The section being proposed today, which is open to public comment, takes into consideration the new information made available to C&MS.

Anyone wishing to comment on the proposal should submit two copies of any statement to the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250 before Feb. 15, 1971. All comments will be available for review by the public in the Hearing Clerk's office. Anyone wishing to present his views orally should contact Dr. Jack C. Leighty, Director, Technical Services Division, Consumer and Marketing Service, U. S. Department of Agriculture, Washington, D.C. 20250. Transcripts of all oral presentations will also be made available in the Hearing Clerk's office. The proposed regulation will be published in the Federal Register on Dec. 17. Copies of the proposal are also available from the Consumer Protection Program Services Staff, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

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UNITED STATES DEPARTMENT OF AGRICULTURE

LoCastro DU 8-3285
McDavid DU 8-4026

Washington, Dec. 17, 1970

USDA Certifies New York's Meat Inspection Equal to Federal:

The U.S. Department of Agriculture today certified the New York meat inspection program equal to the Federal one, under provisions of the Wholesome Meat Act.

As a result, New York now has full responsibility for inspection of meat slaughtering and processing plants doing business wholly within the State. The certification will affect 692 intrastate plants now operating there.

To earn "at least equal to" status, New York had to develop a law and regulations, financing and staffing, as well as actual inspection, matching the Federal program conducted by USDA's Consumer and Marketing Service.

Half of New York's budget for meat inspection comes from Federal matching funds supplied by C&MS.

New York joins 13 other States in achieving "equal to" meat inspection status: Alaska, Arkansas, California, Florida, Idaho, Kansas, Maryland, New Mexico, Oklahoma, South Carolina, Tennessee, Washington and Wyoming.

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UNITED STATES DEPARTMENT OF AGRICULTURE

LoCastro DU 8-3285
McDavid DU 8-4026

Washington, Dec. 17, 1970

Federal Meat Inspection Reinstated at Philadelphia Plant:

The U.S. Department of Agriculture announced today that Federal meat inspection has been reinstated at Medallion Provision, Inc., 1933 Reed St., Philadelphia, Pa., effective Dec. 16.

USDA's Consumer and Marketing Service said that plant management has agreed to abide by Federal inspection requirements.

Inspection service had been suspended Nov. 20 (press release USDA 3635-70) when the plant was found to be operating under unsanitary conditions, C&MS officials said.

The Federal Meat Inspection Act and regulations, under which the inspection program is administered, require that all meat and meat products shipped in interstate and foreign commerce pass Federal inspection before and after slaughter, and that plants and facilities be operated under sanitary conditions.

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UNITED STATES DEPARTMENT OF AGRICULTURE

Darrow DU 8-3285
McDavid DU 8-4026

Washington, Dec. 21, 1970

USDA Certifies Missouri's Meat Inspection Equal to Federal:

The U.S. Department of Agriculture today certified the Missouri meat inspection program equal to the Federal one, under provisions of the Wholesome Meat Act.

As a result, Missouri now has full responsibility for inspection of meat slaughtering and processing plants doing business wholly within the State. The certification will affect 272 intrastate plants now operating there.

To earn "at least equal to" status, Missouri had to develop law and regulations, financing and staffing, as well as actual inspection, matching the Federal program conducted by USDA's Consumer and Marketing Service.

Half of Missouri's budget for meat inspection comes from Federal matching funds supplied by C&MS.

Missouri joins 14 other States in achieving "equal to" meat inspection status: Alaska, Arkansas, California, Florida, Idaho, Kansas, Maryland, New Mexico, New York, Oklahoma, South Carolina, Tennessee, Washington, and Wyoming.

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UNITED STATES DEPARTMENT OF AGRICULTURE

Quinn DU 8-7607

McDavid DU 8-4026

Washington, Dec. 21, 1970

USDA Amends Fees for Voluntary Poultry and Egg Grading and Inspection:

The U.S. Department of Agriculture today announced an amendment to the poultry and egg grading and inspection regulations that will make fees more uniform for Federal-State poultry and egg grading, and egg products inspection.

Currently, plants using the voluntary grading and inspection service on a resident basis pay a fee based on the actual salary of the grader or inspector assigned to the plant. Because of seniority, a grader's or inspector's base salary varies. Thus, some plants pay at a higher rate than others.

Under the new amendment plants will be charged on the basis of the average base salary for all full-time graders and inspectors assigned to plants with approximately equal volume and complexity of operation in the State where the service is furnished. A separate average will be established for large metropolitan areas.

Several other changes of an administrative nature have also been made.

The voluntary grading program is provided as a public service by USDA's Consumer and Marketing Service on a fee-for-service basis. Plants wishing to use the service pay a fee to reimburse the Federal government for its expenses.

The amendment is scheduled to be published in the December 22 issue of the Federal Register. It will become effective January 10, 1971.

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UNITED STATES DEPARTMENT OF AGRICULTURE

Darrow DU 8-3285
McDavid DU 8-4026

Washington, Dec. 21, 1970

USDA Certifies Pennsylvania's Meat Inspection Equal to Federal:

The U.S. Department of Agriculture today certified the Pennsylvania meat inspection program equal to the Federal one, under provisions of the Wholesome Meat Act.

As a result, Pennsylvania now has full responsibility for inspection of meat slaughtering and processing plants doing business wholly within the State. The certification will affect 507 intra-state plants now operating there.

To earn "at least equal to" status, Pennsylvania had to develop a law and regulations, financing and staffing, as well as actual inspection, matching the Federal program conducted by USDA's Consumer and Marketing Service.

Half of Pennsylvania's budget for meat inspection comes from Federal matching funds supplied by C&MS.

Pennsylvania joins 15 other States in achieving "equal to" meat inspection status: Alaska, Arkansas, California, Florida, Idaho, Kansas, Maryland, Missouri, New Mexico, New York, Oklahoma, South Carolina, Tennessee, Washington, and Wyoming.

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UNITED STATES DEPARTMENT OF AGRICULTURE

Bloom DU 8-7587
McDavid DU 8-4026

Washington, Dec. 21, 1970

USDA Surveying and Evaluating State Meat Inspection Systems:

Federal meat inspection personnel of the U.S. Department of Agriculture are making final surveys or evaluations of meat inspection programs in 33 States and in Puerto Rico to determine if they are equal to Federal meat inspection.

USDA's Consumer and Marketing Service said the evaluations will determine whether meat plants operating wholly within those States may continue to be State-inspected, or must be placed under Federal inspection as required by the Wholesome Meat Act of 1967.

C&MS explained that 16 State inspection programs have already been declared equal to Federal inspection. They are: Alaska, Arkansas, California, Florida, Idaho, Kansas, Maryland, Missouri, New Mexico, New York, Oklahoma, Pennsylvania, South Carolina, Tennessee, Washington, and Wyoming.

Twenty-five of the 33 States in which a final decision has not yet been made have applied for certification during the past several weeks. Upon application, Federal surveys were begun, and these will soon be completed. States in this category include: Alabama, Arizona, Connecticut, Delaware, Georgia, Illinois, Indiana, Iowa, Kentucky, Louisiana, Michigan, Mississippi, Nebraska, Nevada, New Jersey, North Carolina, Ohio, Oregon, Rhode Island, South Dakota, Utah, Vermont, Virginia, West Virginia, and Wisconsin.

Surveys were begun in Colorado, Hawaii, Maine, Massachusetts, Minnesota, Montana, New Hampshire, Texas, and Puerto Rico on Dec. 16, the day following the deadline established by the Wholesome Meat Act.

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Federal meat inspectors assumed responsibility for the inspection of intrastate meat plants in North Dakota earlier this year after it became apparent that the State would not establish an inspection system equal to Federal inspection.

The 1967 Wholesome Meat Act directed that all States establish a meat inspection system equal to Federal inspection. The Act provided for two years to meet this requirement, with the provision for a 1-year extension--until Dec. 15, 1970--if a State was making satisfactory progress toward achieving the goal. USDA is required to assume responsibility for the inspection of intrastate plants in those States that do not meet the requirements of the Act.

If any of the State inspection programs presently under review are declared not equal to the Federal system, USDA will then begin an intensive plant by plant review, according to Dr. Kenneth McEnroe, C&MS Deputy Administrator for meat and poultry inspection. "The purpose of this," says Dr. McEnroe, "is to inform each plant of what changes, if any, it must make in order to qualify for Federal inspection. This will take time--depending, of course, on the number of States which do not qualify as equal to. But we will move on it as steadily and as rapidly as we can in full recognition of our obligations under the Wholesome Meat Act."

UNITED STATES DEPARTMENT OF AGRICULTURE
CONSUMER AND MARKETING SERVICE

WASHINGTON, D.C. 20250

[9 CFR Parts 317, 320]

MEAT INSPECTION

Labeling and Containers of Federally Inspected Meat Products and Official Marks of Inspection

On August 14, 1969, there was published in the *FEDERAL REGISTER* (34 F.R. 13194-13255), a notice of intention of the Consumer and Marketing Service to revise the Federal Meat Inspection Regulations in 9 CFR Subchapter A, pursuant to the Federal Meat Inspection Act, as amended by the Wholesome Meat Act (21 U.S.C. 601 et seq.). The notice included proposed new §§ 317.3, 317.4, and 317.15 pertaining to approval of labeling, marking devices, and containers for meat products subject to the Act and authorizations to make devices bearing official marks and related matters. A 60-day period was provided for interested persons to file comments concerning the proposed revision of the regulations.

On October 2, 1969, there was published (34 F.R. 15362), a notice of extension of the time until December 12, 1969, for filing comments on the proposed revision of the regulations.

Statement of considerations. Preventing the distribution of adulterated, mislabeled, and improperly packaged meats and meat food products is a principal objective of the Federal Meat Inspection Act. Sections 317.3, 317.4, and 317.15 of the regulations as contained in the notice were proposed to implement the provisions of the amended law that are intended to assure that products distributed under the Act are wholesome, not adulterated, and properly marked, labeled, and packaged, and that the official marks of the Department's inspection service are not printed, cast, lithographed, or otherwise made or used improperly.

The many comments and opinions expressed on these proposed sections gave the Department the benefit of a broad range of viewpoints, information, and data to consider in relation to the issues. These responses on the proposed amendments were principally from packers and their representatives, suppliers of labeling and packaging materials, and State and local government officials having responsibility for regulation of weights and measures and the inspection of meat and poultry products.

The number and nature of comments received emphasized the importance of the subject matter involved in the proposed regulations. The Department has carefully considered all of the information presented to it in these comments and all other currently available information, and in the light thereof, now proposes, in accordance with the administrative procedure provisions in 5 U.S.C. 553, to issue the following new §§ 317.3, 317.4, and 317.15 of the regulations under the Federal Meat Inspection Act as alternatives to the corresponding proposed sections in the notice of rulemaking of August 14, 1969, and to make a related change in § 320.1 of the subchapter as hereinafter set forth.

§ 317.3 Prior approval required for certain labeling and marking devices; conditions and procedure.

(a) (1) No device containing an official mark or simulation thereof, and no label or other labeling to be used for any product at any official establishment shall be made or caused to be made in finished form until it has been approved in sketch form as provided for in this section: *Provided, however,* That no more than 100 labels or other units of labeling may be printed in finished form if marked "Proof" before removal from the printing establishment: *And provided further,* That this section does not apply to labeling used on the outside of an immediate or shipping container under an approval in accordance with § 316.13 (g) of this subchapter. No such device or labeling shall be used for any product at any official establishment until it has been approved for such product under this section or § 316.13(g) of this subchapter.

(2) Inserts, tags, liners, pasters, and similar articles containing written, printed or graphic matter and for use on products, or on, or to be placed within, coverings or other immediate or shipping containers of products at any official establishment shall be submitted for approval in the same manner as provided for in this section for other labeling.

(b) (1) Requests for sketch approval required under paragraph (a) (1) of this section shall be made on Form CP-480¹ (as set forth in Appendix A to this part) and in accordance with the procedures prescribed in this section. The operator of the official establishment where the

product involved is to be prepared (or his agent) shall present the completed form, with four copies of a sketch as prescribed in subparagraph (3) of this paragraph, to the program inspector under whose jurisdiction the product will be prepared. The program inspector will write any comments that he may have on the back of the application form and sign the form to indicate that he has verified the application. The application will then be returned to the applicant for him to forward to the Director, Technical Services Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

(2) Any person preparing identical products at more than one official establishment may submit applications for sketch approval required under paragraph (a)(1) of this section for such products through any of such official establishments in the following manner:

(i) The operator of the establishment through which the application is made shall submit a completed form and sketch for each product to a program inspector under whose jurisdiction such product will be prepared in at least one plant, for comment and signature by such inspector, prior to forwarding the form and sketch to the Technical Services Division for approval, as provided in subparagraph (1) of this paragraph.

(ii) The operator of the establishment applying will provide sufficient copies of the forms and sketches so that an approved copy of the form and sketch may be provided to the program inspector and the operator of each official establishment concerned for each product involved.

(3) The sketch for labeling or a device submitted for approval under this paragraph (b) shall be a representation of the finished labeling or device, showing all features, including, as appropriate, type size, colors of design and packaging, and the placement of features. In order to meet these requirements the sketch shall be presented in any form prescribed in subdivision (i), (ii), (iii), (iv), (v), (vi), or (vii) of this subparagraph, including all matter specified in the subdivision selected:

(i) A comprehensive sketch consisting of a true color reproduction of the finished labeling or device in all details; or

(ii) A semicomprehensive sketch consisting of:

(a) Velox or photostat showing actual size and location of the product name, net weight statement, illustrations, and other bold features such as brand name or serving suggestion with black line location of other features;

(b) Tissue overlays indicating color location, black line printed type and official inspection legend;

(c) Color photograph, color transparencies, or C-Print of the pictorial if one is shown on the labeling; and

(d) Color chips indicating actual colors of the finished labeling or device; or

(iii) Completed black and white art work sketch presentation including:

(a) Finished velox or photostat of the complete black and white art work constituting a true reproduction of the finished labeling or device in black and white;

(b) Tissue overlay indicating color location;

(c) Color photograph, color transparency, or C-Print of the pictorial if one is shown on the labeling; and

(d) Color chips indicating actual colors of the finished labeling or device; or

(iv) Color copier sketch consisting of a facsimile produced by a color photocopy machine of a sketch as described in subdivision (i) or (ii) of this subparagraph or of a finished velox or photostat as described in subdivision (iii) of this subparagraph or of previously approved finished labeling, accompanied by tissue overlays showing proposed modifications;

(v) Previously approved finished labeling with tissue overlays showing proposed modifications; or

(vi) In the case of any lithographed labels: Metal containers, or sections thereof shall not be submitted for approval. Paper takeoffs can be used to represent lithographed labels for approval purposes. Such paper takeoffs shall not be in the form of a negative but shall be a complete reproduction of the label as it will appear on the package, including any color scheme involved; or

(vii) In the case of fiber containers: Printed layers, such as kraft paper sheet, showing the entire label, shall be submitted for approval in lieu of the complete container.

(4) Sketches provided for in subparagraph (3) of this paragraph may have the following information shown by means of velox, photostat, or tissue overlays, submitted with a master sketch, instead of submission of a separate sketch for each product to be prepared at each official establishment involved:

(i) The official inspection legend, if the labeling or device is to be used at more than one official establishment; but the official inspection legend of each establishment must be shown with respect to the product of that establishment.

(ii) If the labeling or device is to be used for more than one product, or for one product with more than one ingredient statement, the appropriate additional features to show the differences between the products.

(5) "Rough" sketches may be submitted directly to the Washington office of the Technical Services Division for "comment" only. Comments on rough sketches are intended as an aid to operators of official establishments in developing labeling for products and are not to be considered as a substitute for the normal procedures for sketch approval described in this section.

(6) (i) Each copy of the sketch of any labeling or device being submitted for approval shall be accompanied by a completed application Form CP-480.¹ Copies of this form may be obtained from the Technical Services Division, Consumer and Marketing Service of the Department. The information supplied thereon by the applicant shall be treated as confidential information insofar as authorized under the provisions of 5 U.S.C. 552, 18 U.S.C. 1905, and section 407 of the Act and 15 U.S.C. 50, and the public information regulations of the Department of Agriculture (7 CFR 1.1 et seq. and 900.500 et seq.). All information requested must be given either in the space provided or by attaching additional sheets if necessary.

(ii) The following information must be entered by the applicant in the spaces in the application form as indicated below:

Space 1. Enter the product name as it will be shown on the labeling.

Space 2. Enter the official establishment number, in the case of domestic products, and the foreign establishment number in the case of products for importation.

Space 3. Indicate by a check mark the action requested. If application is for temporary use of any labeling, indicate the number of days needed to exhaust the existing supply of labeling already made under a prior authorization and the quantity involved.

Space 4. Specify the approval number of previously approved similar labeling or date of correspondence, if any, with the Technical Services Division relating to this application for sketch approval.

Space 5. Indicate by a check mark whether the labeling or device is for an immediate container or for a shipping container.

If the labeling or device is not for use on a container, indicate it is for "other" use, with information on exactly how it is to be used, such as "Band around product," "Placed on product," "Placed in shipping container," etc.

Space 6A. Check applicable block. If answer in space 6A was "yes," enter acceptance number in space 6B from Form CP-481. If answer in space 6A was "no," submit a complete packaging composition statement on Form CP-481 as required in space 6C.

Space 7. Specify standard can size, casing diameter carton dimensions, or analogous measurement details on other kinds of containers.

Space 8. Specify natural or artificial casings (fibrous, cellulose, etc.), films, plastics, fiberboard, or other materials.

Space 9. Enter, in square inches, the area of the "principal display panel" of the package as defined in § 317.2(d).

Space 10. Enter the net weight as shown on the label. Packing materials or substances that are not normally consumed, such as brine, vinegar, and agar agar, are not to be included in the net weight.

Space 11. Specify head space for canned products, and except for products that do not have distinct components, such as stew, chili, and soup, indicate the quantity of each major component used in filling the container. For examples: A frozen dinner is composed usually of three major, distinct components, the meat and gravy or sauce portion, potatoes and vegetables. The quantity of each should be specified. "Beef and Gravy" is composed of two major components. For that product, show the quantity of cooked beef and the quantity of gravy in the finished product.

Space 12. For products that are composed of two or more major components, such as "Meatballs in Sauce," a formula shall be shown in space 12, listing the ingredients and quantity of each used in the preparation of each major component, e.g., for "Meatballs in Sauce," a statement of the ingredients, and quantity of each, used in the meatballs component, and a separate statement of the ingredients, and quantity of each, used in the "Sauce" component. Approximate percentages may be given in cases where the percentages of ingredients may vary from time to time, if the limits of variations are stated. When a complex ingredient is shown in the formula, it must be explained further by showing the common name of each ingredient therein but the quantity need not be shown for each ingredient in flavorings, colorings, spices, gravy bases, gravy mixes, sauces, seasoning mixes, and relishes. For example, show the total quantity of "flavorings" used. However, only the common name of each ingredient making up the flavoring mixture must be listed. Confidential formulations for spices, flavoring mixtures, and similar substances that have been placed on file with the Technical Services Division may be indicated in the statement of product formulations by code name or number.

For products that do not have distinctly separate components, such as stew, chili, soup, and sausage, space 12 shall be marked "N/A" (not applicable).

Space 13. Give the complete formula for the product. List all of the ingredients used in the preparation of the total product with each ingredient in its correct order of predominance and specify the quantity of each ingredient. Approximate percentages may be given in cases where the percentages of ingredients may vary from time to time, if the limits of variations are stated. List spices, flavoring and similar substances as prescribed for space 12.

Space 14. Details of preparation to be listed may be limited to the operations that may significantly affect the physical properties of the product and its status as nonadulterated, such as fabricating, cooking, curing, or smoking, with approximate times and temperatures of each operation. A brief explanation shall be included of the control measures to be used by the official establishment to insure compliance with the procedures of preparation listed.

Space 15. The date on which the application is verified by the program employee shall be inserted by such employee in space 15.

Space 16. The program employee verifying the application shall sign his name in space 16.

Space 17. The date of which the application for approval is signed by the applicant or his representative shall be entered in space 17.

Space 18. The applicant for approval or his representative shall sign his name in space 18.

(7) Samples of a product for which labeling approval is sought may be required to be furnished to enable a determination of the acceptability of the labeling proposed for the product.

(8) Sketch approval shall be contingent upon approval under § 317.4 of the packaging and other containers proposed to be used for the product.

(c) (1) All applications for the approval as required by §§ 327.14 and 327.15 of this subchapter of labeling intended for use on or with products to be imported into the United States shall be submitted to the Director, Technical Services Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, as provided in this paragraph.

(2) The application shall be made on Form CP-480,¹ completed in accordance with paragraph (b) (6) of this section and accompanied with three copies of a sketch as prescribed in paragraph (b) (3) and (4) of this section for each article of labeling. If the product is to be prepared in more than one foreign plant, one additional copy of the completed form and sketch shall be submitted for each such plant.

(3) Paragraph (b) (7) and (8) of this section are also applicable with respect to products for importation.

(4) Upon receipt of an approved sketch, and not before, a list of the ports of entry to which the product will be shipped, with sufficient copies of the finished labeling for distribution to the inspection office at each designated port, must be submitted to the Technical Services Division for distribution. The import inspector will not allow entry of the product until a copy of the finished labeling has been received by him.

(d) Copies of the approved application for domestic product will be mailed to the program employee at the official establishment concerned who will deliver a copy to the applicant. When applicants desire wider than usual disposition of approved copies, sufficient extra copies of the application should be provided by the applicant along with mailing or other distribution instructions. Approved applications for foreign product will be returned to the applicant. Copies will be sent to the foreign government concerned for the inspector of each plant in which the product is to be prepared. Any conditions that are applicable to the use of any labeling will be specified on the approved application.

(e) Each article of labeling or device made, or caused to be made by the applicant for approval of such labeling or device, shall conform to the approved sketch except that minor variations in color are permitted. Other deviations not specifically authorized under § 317.5 shall be submitted to the Technical Services Division for approval. Requests for temporary approval for the use of finished labeling or devices not in accordance with the approved sketch shall be submitted to the Technical Services Division for approval.

§ 317.4 Packaging and other containers, approval required; conditions and procedure.

(a) (1) Labeling approval for any product shall be contingent upon acceptance of a prototype of the immediate container to be used in contact with the product. Such acceptance will be conditioned upon compliance with criteria² established by the Technical Services Division to assure that the use of the container for any product will not result in the adulteration or misbranding of the product. These criteria are designed to, among other things, exclude the use of toxic substances in or on the immediate container, classify components of containers according to the temperature under which they may safely be used, and prohibit the use of components that are adversely affected by the acidity, salinity, or other particular properties of the food product to be placed in the container. An acceptable immediate container must be safe; that is, composed entirely of materials known to be completely lacking in poisonous or deleterious substances which could be transmitted to the food product contained therein under the conditions of use. It must be adequate to protect the product and must not be deceptive.

(2) The Technical Services Division shall determine the acceptability of prototypes of immediate containers in accordance with such criteria. An acceptance number will be assigned to each prototype of a container found acceptable. This acceptance number will identify the prototype as chemically acceptable for the proposed use with the proposed labeling. Such number shall be shown in space 6B on Form CP-480.

(b) (1) Application for acceptance of a prototype of an immediate container shall be made by any interested person by completing Form CP-481, "Packaging Composition Statement" and submitting it, in duplicate, to the Director, Technical Services Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250. (Form CP-481³ is set forth as Appendix B to this part and copies thereof can be obtained from the Technical Services Division, Consumer and Marketing Service of the Department.)

(2) The fabricator, manufacturer, or supplier of the immediate container must also submit sufficient information to identify all the component parts of the container. This information shall be submitted in written communication separate from Form CP-481. The communication shall set forth for each component: (i) The manufacturer's brand name or code designation of the component, (ii) a description of how the component will be used in making the container, and (iii) a list of the substances composing the component, each chemically identified: *Provided*, That a listing by brand name or code designation will constitute sufficient chemical identification if upon inquiry the applicant is advised that the Technical Services Division has prior information of the chemical composition of the component. The chemical identification must be sufficiently explicit to permit correlation with the provisions of Parts 8 and 121 of Chapter I, Title 21 of the Code of Federal Regulations promulgated by the Food and Drug Administration and with the criteria established by the Technical Services Division. Amounts of substances present in the component need be given only when limits have been established by regulations of the Food and Drug Administration. All information of a confidential or proprietary nature submitted to the Technical Services Division will be used only to evaluate the material and will be held in confidence insofar as authorized under the applicable laws and regulations cited in § 317.3(b)(6). Subsequent reference by the Department to the component will be by manufacturer's brand name or code, without identifying its chemical composition, unless otherwise required under said laws and regulations.

(3) The following information must be entered in the spaces in the Form CP-481 as indicated below:

Space 1. Enter the type or class of the product(s) to be packaged (such as raw meats, cooked sausages, sliced coldcuts, cooked meat food products).

Space 2. Enter the name and complete address of the fabricator, manufacturer, or supplier of the container.

Space 3A. State the size and type of container and how it will be used in relation to the product. Include temperature of use and whether ink or adhesive will contact product. Do not include formulation or processing details of a secret or proprietary nature.

Space 3B. Designate each component part of the package as to type or class, e.g., ink, adhesive, or coating. It is not unusual for a package to have more than one ink, adhesive, or coating.

Space 3C. Enter the name and address of the manufacturer for each of the packaging components shown in 3B.

Space 3D. Enter the brand name or manufacturer's code for each of the packaging components shown in 3B. Do not include secret or proprietary information.

Space 4. Enter the date on which the application was signed by the applicant or his representative.

Space 5. This space is for the signature of the applicant or his representative.

Spaces 6, 7, and 8 are reserved for use by the Washington office of the Consumer Protection Program.

(4) Each outside container used for the shipping of unfilled immediate containers to official establishments shall have legibly printed or embossed upon it the acceptance number assigned to the immediate container prototype by the Technical Services Division.

§ 317.15 Authorization required to make labeling or other devices bearing official marks.

(a) No person shall cast, print, lithograph, or otherwise make or cause to be made, any labeling or other device, bearing any official mark, or simulation thereof, except as authorized by the Administrator as provided for in this section or in § 317.3(a).

(b) Upon approval of a sketch under § 317.3 the operator of the official establishment involved is authorized to make or cause to be made labeling or other devices, bearing official marks, in accordance with the approved sketch. The operator of the official establishment shall supply a copy of the approved sketch to the manufacturer from which the approved labeling or device is to be obtained. Records identifying the labeling and devices, bearing official marks, which were ordered and received and the disposition of such articles shall be maintained by the operator of the official establishment as provided in Part 320 of this subchapter. Such records shall include the official approval number issued for each article of labeling or device, the identity of the manufacturer, the quantity ordered and the quantity received, and the disposition of the articles.

(c) (1) Labeling and other devices, bearing any official mark, may be made only by a manufacturer authorized to make such articles under this paragraph. Any person desiring to cast, print, lithograph or otherwise make labeling or devices, bearing any official inspection mark, shall apply for annual authorization to make such articles, by letter addressed to the Technical Services Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250. A new application shall be made for such an authorization for each fiscal year (July 1 through June 30) and shall state the name and address of the applicant and the nature of the business conducted by the applicant. The Technical Services Division will issue such authorization to any such applicant and assign a registration number for labeling or devices to be made

by the applicant. The manufacturer of such labeling or devices shall show the registration number so assigned to him, in legible letters of not less than one-eighth inch, on an outer edge of each article of labeling printed or lithographed, and shall permanently apply such number to each device made by him, which bears any official mark or simulation thereof, and shall maintain, as provided in Part 320 of this subchapter, records as required in this paragraph relative to the manufacture of such labeling and devices. Such records shall show the identity of each different article of labeling or device so made by the manufacturer, the quantity of such labeling or devices so made, and the disposition made of such articles by the manufacturer; and shall also include the authorization from the Technical Services Division to make such articles and copies of all approved sketches received from the operators of the official establishments for the manufacture of such articles. The manufacturer of any such labeling or devices shall afford to the authorized representatives of the Secretary, upon their request, an opportunity to inspect and copy such records during regular hours of business.

(2) Authorization to make any labeling or other device issued to any manufacturer under this section may be withdrawn if it is found by the Administrator, after notice and opportunity to present views are afforded to such manufacturer, that the manufacturer has failed to comply with any requirement of this paragraph or has made or delivered any such labeling or device to any person who was not authorized under paragraph (b) of this section to receive such articles.

Section 320.1 of the regulations would be amended by adding at the end thereof the following:

§ 320.1 Records required to be kept.

* * * * *

(c) The operator of each official establishment, and the manufacturer of any labeling or other device bearing any official inspection mark, shall also maintain the records required by § 317.15 of this subchapter.

Any person who wishes to submit written data, views, or arguments concerning the proposed amendments may

do so by filing them, in duplicate, with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, within 60 days after the date of publication of this notice in the *FEDERAL REGISTER*. All written submissions made pursuant to this notice will be made available for public inspection at the office of the Hearing Clerk during regular business hours and in a manner convenient to the public business (7 CFR 1.27(b)). Comments on the proposal should bear a reference to the date and page number of this issue of the *FEDERAL REGISTER*. Persons desiring opportunity for oral presentation of views should address such requests to the Technical Services Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250, so that arrangements may be made for presentation of such views within the 60-day period. A transcript of all views orally presented will be made and filed in the office of the Hearing Clerk for public inspection during regular office hours in a manner convenient to the public business (7 CFR 1.27(b)).

Done at Washington, D.C., on December 14, 1970.

¹Form CP-480 filed as part of original document.

²A pamphlet containing such criteria may be obtained from the Technical Services Division, Consumer and Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250.

3Form CP-481 filed as part of original document.

KENNETH M. McENROE,
*Deputy Administrator, Meat
and Poultry Inspection Programs.*

[F.R. Doc. 70-16989; Filed, Dec. 16, 1970;
8:52 a.m.]

UNITED STATES DEPARTMENT OF AGRICULTURE
CONSUMER AND MARKETING SERVICE
WASHINGTON, D.C. 20250

DEPARTMENT OF AGRICULTURE
Consumer and Marketing Service
POULTRY AND POULTRY PRODUCTS
INSPECTION

**Notice of Designation of Certain
States; Correction**

On December 3, 1970, there was published in the FEDERAL REGISTER (35 F.R. 18410) a notice of designation of the States of Arkansas, Colorado, Georgia, Idaho, Maine, Michigan, Minnesota, Montana, New Jersey, North Dakota, Oregon, South Dakota, Utah and West Virginia, under the Poultry Products Inspection Act (21 U.S.C. et seq.). The designation becomes effective 30 days after such publication.

The notice listed the Regional Directors with whom the operators of affected establishments should communicate immediately if they desire to continue operations subject to the Act after the effective date of the designation. Correction of addresses is shown below for two of the Regional Directors:

Dr. L. J. Rafoth, Director North Central Region, Room 984, 536 South Clark Street, Chicago, IL 60605.

Dr. M. J. Hatter, Director Southeastern Region, Room 216, 1718 Peachtree Road NW., Atlanta, GA 30309.

Done at Washington, D.C., on December 17, 1970.

KENNETH M. McENROE,
*Deputy Administrator, Meat
and Poultry Inspection Programs.*

[F.R. Doc. 70-17203; Filed, Dec. 21, 1970;
8:48 a.m.]

INFORMATION FOR: All Employees, Meat and Poultry Inspection Programs;
Plant Management

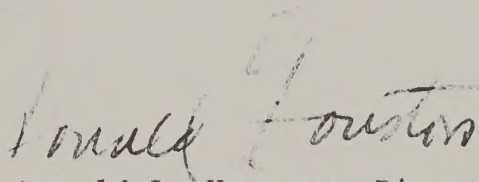
New Code for Direct Mailing to Plant Inspectors

The Meat and Poultry Inspection Programs (formerly Consumer Protection Programs) has initiated a new code, effective immediately, for direct mailing to plant inspectors.

The use of envelopes marked "Attention USDA Food Inspector" has been discontinued.

The new code is 02013 and shall be contained as part of the address label. The first line of the address shall read "USDA, C&MS Food Inspector." Mail so addressed will be delivered directly to the inspector at the plant. If he is not there, it shall be held for his return.

Plant management will continue to receive copies as usual. The first line of the address shall contain the plant name. The existing code for plant management (02010) shall remain in effect and be contained in the address label.



Donald L. Houston, Director
Consumer Protection Programs Services Staff

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY
CHICAGO, ILL. 60637

1961

REPORT NO. 1000
JANUARY 1961

THE EFFECT OF TEMPERATURE ON THE

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THE EFFECT OF TEMPERATURE ON THE RATE OF REACTION OF
HYDROGEN PEROXIDE WITH FERROUS SULFATE

BY
J. H. KINZIE

DEPARTMENT OF CHEMISTRY
THE UNIVERSITY OF CHICAGO
CHICAGO, ILL. 60637

RECEIVED
JANUARY 10, 1961

ABSTRACT

The rate of reaction of hydrogen peroxide with ferrous sulfate has been studied as a function of temperature. The rate increases with increasing temperature and is first order in both reactants.

THE UNIVERSITY OF CHICAGO
DIVISION OF THE PHYSICAL SCIENCES
DEPARTMENT OF CHEMISTRY
CHICAGO, ILL. 60637

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